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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

LORNA A. CLARKE and
MARLIN MARTINEZ

No. 08 CR 208

Judge John W. Darrah

**ORDER FOR DISCLOSURE OF TAX RETURNS
AND RETURN INFORMATION**

The United States Attorney for the Northern District of Illinois has made an application for an order, pursuant to 26 U.S.C. § 6103(i)(1), directing the Internal Revenue Service to disclose tax returns and return information of:

Marlin Martinez
SSN: XXX-XX-XXXX and

Oscar Armando Martinez
SSN: XXX-XX-XXXX,

which tax returns and return information is described as:

(1) certified copies of all certified copies of all individual and joint income tax returns (Forms 1040), all schedules attached thereto, and transcripts of all return information, including IMFOLTs and BMFOLTs; for tax years 2006, 2007, and 2008; and

(2) for the tax years 2006, 2007, and 2008, copies of any audits, work papers, revenue agents' transmittal reports, special agents' reports, witness affidavits, statements,

memoranda of interviews, etc., currently held by IRS and any related material which may be developed subsequent to this request, involving the above-named taxpayers.

After examining the application, this Court finds:

(1) There is reasonable cause to believe, based upon information believed to be reliable, that violations of federal criminal statutes, namely Title 18, Section 1343 (wire fraud), have been committed;

(2) There is reasonable cause to believe that the above-described tax returns and return information are or may be relevant to a matter related to the commission of the above-mentioned violations; and

(3) The information sought to be disclosed cannot reasonably be obtained, under the circumstances, from any other source other than from the defendant, and is sought exclusively for use in the federal criminal investigation and the trial of the above-mentioned violations.

The Court further finds that applicant and

AUSA Renato Mariotti,
AUSA Edward Siskel, and
Matthew McCloskey, Special Agent, United States Secret Service

are personally and directly engaged in, and the information sought is solely for their use in, investigating and, if appropriate, preparing for trial concerning the above-mentioned violations.

IT IS THEREFORE ORDERED that the Internal Revenue Service:

(1) Disclose such tax returns and return information as described as certified copies of all individual and joint income tax returns (Forms 1040), as well as all schedules attached thereto; transcripts of all return information, including IMFOLTs and BMFOLT, for tax years 2006, 2007, and 2008; and (b) for the tax years 2006, 2007, and 2008, copies of any audits, work papers, revenue agents' transmittal reports, special agents' reports, witness affidavits, statements, memoranda of interviews, etc., currently held by IRS and any related material which may be developed subsequent to this request, involving the above-named taxpayers.

(2) Certify where tax returns and return information described above have not been filed or are not on file with the Internal Revenue Service that no such returns and information have been filed or on file;

(3) Disclose such tax returns and tax return information described above as may come into possession of the Internal Revenue Service subsequent to the date of this order, but not for longer than 30 days thereafter;

(4) Disclose such tax returns and tax return information and make such certification only to applicant and

AUSA Renato Mariotti
AUSA Edward Siskel, and
Matthew McCloskey, Special Agent, United States Secret Service

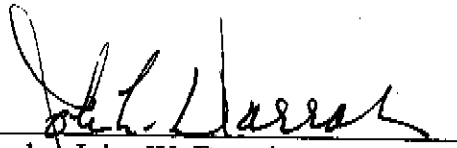
and to no other person; and

(5) Disclose no tax returns or tax return information not described above.

IT IS FURTHER ORDERED that applicant and

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AUSA Edward Siskel, and
Matthew McCloskey, Special Agent, United States Secret Service

and any attorney of the United States Department of Justice who may be subsequently assigned in this matter, shall use the tax returns and tax return information disclosed solely in investigating the above-mentioned violations, and such other violations of the federal criminal code, as, although presently unknown, are discovered in the course of this investigation, and, if appropriate, preparing the matter for trial. No disclosure shall be made to any other person except in accordance with the provisions of 26 U.S.C. § 6103 and 26 C.F.R. 301.6103(i)-1.



Judge John W. Darrah

Dated: 8-12-08